

**BEFORE THE PUBLIC UTILITIES COMMISSION  
OF THE STATE OF SOUTH DAKOTA**

<b>IN THE MATTER OF THE FILING BY GCC</b>	)	<b>ORDER DESIGNATING GCC</b>
<b>LICENSE CORPORATION FOR DESIGNATION</b>	)	<b>LICENSE CORPORATION</b>
<b>AS AN ELIGIBLE TELECOMMUNICATIONS</b>	)	<b>AS AN ELIGIBLE</b>
<b>CARRIER</b>	)	<b>TELECOMMUNICATIONS</b>
	)	<b>CARRIER IN NON-RURAL</b>
	)	<b>TELEPHONE COMPANY</b>
	)	<b>EXCHANGES</b>
	)	<b>TC98-146</b>

On August 25, 1998, the South Dakota Public Utilities Commission (Commission) received a request from GCC License Corporation (GCC) requesting designation as an eligible telecommunications carrier (ETC) for all the exchanges contained within all of the counties in South Dakota.

On August 26, 1998, the Commission electronically transmitted notice of the filing and the intervention deadline of September 11, 1998, to interested individuals and entities. At its September 23, 1998, meeting, the Commission granted intervention to Dakota Telecommunications Group, Inc. (DTG), South Dakota Independent Telephone Coalition (SDITC), and U S WEST Communications, Inc. (U S WEST).

The Commission set the hearing for December 17 and 18, 1998, in Room 412, State Capitol, Pierre, South Dakota. The issue at the hearing was whether GCC should be granted designation as an eligible telecommunications carrier for all the exchanges contained within all of the counties in South Dakota. The hearing was held as scheduled and briefs were filed following the hearing. At its April 26, 1999, meeting, the Commission unanimously voted to deny the application.

GCC appealed the Commission's decision to circuit court. The circuit court reversed the Commission's decision and remanded the case to the Commission for findings on whether it is in the public interest to grant ETC status to GCC in areas served by rural telephone companies. The Commission, SDITC, and U S WEST appealed the circuit court's decision to the Supreme Court. On March 14, 2001, the Supreme Court affirmed the circuit court's decision.

On August 30, 2001, the Commission received a proposed order from GCC along with a list of the Qwest exchanges within which GCC would be designated as an ETC.

In accordance with the Findings of Fact, Conclusions of Law, and Order dated March 22, 2000, in Civil Case No. 99-235, IT IS ORDERED:

1. GCC is designated as an ETC pursuant to 47 U.S.C. section 214(e)(2) in the exchanges listed on [Attachment A](#), which is incorporated by reference. These exchanges constitute all non-rural telephone company exchanges in the state of South Dakota;

2. In providing service in South Dakota as an ETC, GCC shall comply with all applicable federal and state requirements;

3. The Commission retains jurisdiction over this docket and GCC for the purpose of ensuring that GCC's provision of services as an ETC complies with all applicable federal and state requirements;

4. The Commission shall send a letter, in the form of [Attachment B](#) hereto, notifying the Federal Communications Commission and the Universal Service Administrative Company of GCC's designation as an ETC in all non-rural telephone company exchanges in the state of South Dakota.

#### NOTICE OF ENTRY OF ORDER

PLEASE TAKE NOTICE that this Order was duly entered on the 18th day of October, 2001. Pursuant to SDCL 1-26-32, this Order will take effect ten days after the date of receipt or failure to accept delivery of the decision by the parties.

Dated at Pierre, South Dakota, this 18th day of October, 2001.

<p style="text-align: center;"><b>CERTIFICATE OF SERVICE</b></p> <p>The undersigned hereby certifies that this document has been served today upon all parties of record in this docket, as listed on the docket service list, by facsimile or by first class mail, in properly addressed envelopes, with charges prepaid thereon.</p> <p>By: _____</p> <p>Date: _____</p> <p style="text-align: center;">(OFFICIAL SEAL)</p>
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BY ORDER OF THE COMMISSION:

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JAMES A. BURG, Chairman

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PAM NELSON, Commissioner